

19 OCT 2007

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Article No. 7006 2760 0000 8653 9182

Scott Loven
Health, Safety, and Environmental Manager
Industrial Laminates/Norplex, Inc.
665 Lybrand Street
Postville, Iowa 52162

Dear Mr. Loven:

RE: Industrial Laminates/Norplex, Inc.
Postville, Iowa
RCRA ID No. IAD073489288

Letter of Warning/Request for Information

On May 17, 2007, a representative of the U. S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA). A copy of the inspection report is enclosed.

My staff has reviewed the inspection report. Based on this review, my staff has determined that violations of RCRA were documented. Enclosed is a list of violations followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.

Within thirty (30) calendar days of receiving this letter, please mail your response to: Deborah Finger, ARTD/RESP, U. S. Environmental Protection Agency, 901 N. 5th Street, Kansas City, Kansas 66101. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Ms. Finger, of my staff, at (913) 551-7164.

Sincerely,

Donald Toensing
Chief
RCRA Enforcement and State Programs Branch

465775



RCRA RECORDS

Enclosures (2)

cc: Cal Lundberg
Iowa Department of Natural Resources
bcc: Gary Witkovski
ENSV

AWMD/RESP:cas:h:/DFINGER/LOW-INDUSTRIALLAMINATES9-17-07.DOC/092107

RESP
Finger
09/21 /07
DMP

RESP
Snowden
09/21 /07
[Signature]

CNSL
UAT
10/16 /07

RESP
Toensing
10/19 /07
[Signature]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

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Sincerely,

Donald Toensing
Chief

RCRA Enforcement and State Programs Branch

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cc: Cal Lundberg
Iowa Department of Natural Resources

3007 RESPONSE INSTRUCTIONS

- Identify the Person(s) responding to this request on your behalf.
- Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- For each numbered item, identify all persons consulted in the preparation of the answer.
- For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$32,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

Violation Documented at Industrial Laminates/Norplex, Inc.
in Postville, Iowa on May 17, 2007

1. Title 40 Code of Federal Regulations (40 CFR) 273.13(d)(1) - Failure to store universal waste lamps in closed containers.
2. 40 CFR 273.14(e) - Failure to label three containers of universal waste lamps with the words "Universal Waste-Lamps," "Waste Lamps," or "Used Lamps."
3. * 40 CFR 265.16(d)(2) - Failure to include the requisite skills, education, or other qualifications, in the written job descriptions.
4. * 40 CFR 265.16(c) - Failure to document annual training for Scott Loven (2004 and 2006), Marty Miller (2004 and 2006), William Evans (2006), Earl Hendry (2004), Dennis Hartson (2004), Earl Gibson (2004 and 2006), Patty Duvel (2004), and Duane Koenig (2004).
5. * 40 CFR 265.51(e) - Failure to include the locations of the Emergency Response Cart and the capabilities of the emergency equipment in the Contingency Plan.

* The above-listed violations were added upon review of the EPA's May 17, 2007, inspection report.

Request for Information

1. Please identify all persons responding to the questions in this letter. Please include names, titles, and telephone numbers, if different from the facility's telephone number.
2. With regard to Violation Numbers 1 and 2, please provide a narrative outlining how your facility will prevent similar violations in the future.
3. With regard to Violation Numbers 3 and 4, please provide the following:
 - a. copies of the revised job descriptions that outline the requisite skills, education, or other qualifications; and
 - b. documentation that each of the individuals outlined above were trained in RCRA management in 2004 and 2006 or a reason why the above-listed employees were not trained in either 2004 or 2006.
4. With regard to Violation Number 5, please provide an updated copy of your facility's Contingency Plan that includes the location of the Emergency Response Cart and the capabilities of the emergency equipment listed in your facility's Contingency Plan.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <i>Cheryl Thariton</i> <input type="checkbox"/> Address</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery <i>Cheryl Thariton</i></p>
<p>1. Article Addressed to:</p> <p>Scott Loven Health, Safety, and Environmental Manager Industrial Laminates/Norplex, Inc. <u>665 Lybrand Street</u> Postville, IA 52162</p>	<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: <i>PO Box 977</i> <i>POSTVILLE IA 5216</i></p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. <u>7006 2760 0000 8653 9182</u> <small>(Transfer from service label)</small></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-15</p>	

U.S. Postal Service TM CERTIFIED MAIL TM RECEIPT (Domestic Mail Only; No Insurance Coverage TM Provided)									
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Certified Fee									
Return Receipt Fee (Endorsement Required)									
Restricted Delivery Fee (Endorsement Required)									
<p>Total Pos Scott Loven Health, Safety, and Environmental Manager Industrial Laminates/Norplex, Inc.</p> <p>Sent To Street, Apt. or PO Box 665 Lybrand Street City, State, Postville, IA 52162</p>									
PS Form 3800, August 2006 See Reverse for Instructions									

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